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Deliver to: Tu X. Nguyen, USPTO Art Group: 2618
 Facsimile No.: 703-872-9306 Date: February 5, 2007
 From: William W. Schaal, Reg. No. 39,018

Our Docket No.: 3239P063 Number of pages 14 including this sheet.
 Application No.: 09/753,228 Filing Date: 12/28/2000

Docket Due Date(s): 2/3/07

Enclosed are the following documents:

| | |
|--|---|
| <input checked="" type="checkbox"/> Amendment: <u>Response</u> (<u>10</u> pgs) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Appeal Brief (<u> </u> pgs) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application: <u> </u> | <input type="checkbox"/> Petition for: <u> </u> |
| (<u> </u> pgs) w/cover & abstract | <input type="checkbox"/> Request for Continued Examination (RCE) |
| <input type="checkbox"/> Assignment & Cover Sheet (<u> </u> pgs) | <input type="checkbox"/> Reply Brief (<u> </u> pgs) |
| <input checked="" type="checkbox"/> Certificate of Facsimile <u> </u> | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i) |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
| <input type="checkbox"/> Declaration & POA (<u> </u> pgs) | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Drawings: <u> </u> sheets, <u> </u> figures | <input type="checkbox"/> Response to Written Opinion (<u> </u> pgs) |
| <input type="checkbox"/> Extension of Time: <u> </u> | <input type="checkbox"/> Terminal Disclaimer |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate) | <input type="checkbox"/> Transmittal of Publication Fee Due |
| <input type="checkbox"/> IDS & PTO/SB/08 (<u> </u> pgs) | <input checked="" type="checkbox"/> Transmittal Letter |
| <input type="checkbox"/> Other <u> </u> | |

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

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Susan McFarlane 2/5/2007
 Susan McFarlane Date

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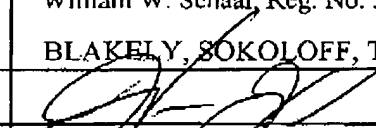
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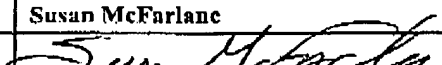
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| | | | |
|---|----|------------------------|-------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application No. | 09/753,228 |
| | | Filing Date | December 28, 2000 |
| | | First Named Inventor | Jonathan M. Zweig |
| | | Art Unit | 2618 |
| | | Examiner Name | Tu X. Nguyen |
| Total Number of Pages in This Submission | 13 | Attorney Docket Number | 3239P063 |

| ENCLOSURES (check all that apply) | | |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div> |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | William W. Schaal, Reg. No. 39,018 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP |
| Signature |  |
| Date | February 5, 2007 |

| CERTIFICATE OF MAILING/TRANSMISSION | | | |
|--|---|------|------------------|
| I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office. | | | |
| Typed or printed name | Susan McFarlane | | |
| Signature |  | Date | February 5, 2007 |

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (nec) 10/12/2006.
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| | | | |
|--|--|--------------------------|-------------------|
| FEE TRANSMITTAL for FY 2006 <i>Patent fees are subject to annual revision.</i> | | <i>Complete If Known</i> | |
| | | Application Number | 09/753,228 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. | | Filing Date | December 28, 2000 |
| | | First Named Inventor | Jonathan M. Zweig |
| TOTAL AMOUNT OF PAYMENT | | Examiner Name | Tu X. Nguyen |
| (\$) | | Art Unit | 2618 |
| 0.00 | | Attorney Docket No. | 3239p063 |

METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- ☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) ☒ Credit any overpayments
 under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION

1. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 18 | 20 | 0 | \$0.00 |
| Independent Claims | 5 | 0 | \$0.00 |
| Multiple Dependent | | | |

| Large Entity | Small Entity | Fee Description |
|---------------|---------------|---|
| Fee Code (\$) | Fee Code (\$) | |
| 1202 60 | 2202 25 | Claims in excess of 20 |
| 1201 200 | 2201 100 | Independent claims in excess of 5 |
| 1203 360 | 2203 180 | Multiple Dependent claim, if not paid |
| 1204 700 | 2204 360 | **Reissue independent claims over original patent |
| 1205 300 | 2205 160 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (1) (\$)

0.00

**or number previously paid, if greater. For Reissues, see below

2. ADDITIONAL FEES

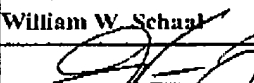
| Large Entity | Small Entity | Fee Description |
|---------------|---------------|--|
| Fee Code (\$) | Fee Code (\$) | |
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet |
| 2053 130 | 2053 130 | Non-English specification |
| 1251 120 | 2251 60 | Extension for reply within first month |
| 1252 450 | 2252 225 | Extension for reply within second month |
| 1253 1,020 | 2253 510 | Extension for reply within third month |
| 1254 1,590 | 2254 795 | Extension for reply within fourth month |
| 1255 2,160 | 2255 1,080 | Extension for reply within fifth month |
| 1401 500 | 2401 250 | Notice of Appeal |
| 1402 500 | 2402 250 | Filing a brief in support of an appeal |
| 1403 1,000 | 2403 500 | Request for oral hearing |
| 1451 1,510 | 2451 1,510 | Petition to institute a public use proceeding |
| 1460 130 | 2460 130 | Petitions to the Commissioner |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(n) |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt |
| 1809 790 | 1809 385 | Filing a submission after final rejection (37 CFR § 1.129(a)) |
| 1810 790 | 2810 385 | For each additional invention to be examined (37 CFR § 1.129(b)) |

Other fee (specify):

SUBTOTAL (2)

(\$)

Fee Paid

| | | | |
|---------------------|---|-----------------------------------|----------------|
| SUBMITTED BY | | <i>Complete (if applicable)</i> | |
| Name (Print/Type) | William W. Schaal | Registration No. (Attorney/Agent) | 39,018 |
| Signature |  | Telephone | (714) 557-3800 |
| | | Date | 02/05/07 |

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (WTR) 12/15/2004.
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**FEE TRANSMITTAL
for FY 2006**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

0.00

Complete if Known

| | |
|----------------------|-------------------|
| Application Number | 09/753,228 |
| Filing Date | December 28, 2000 |
| First Named Inventor | Jonathan M. Zweig |
| Examiner Name | Tu X. Nguyen |
| Art Unit | 2618 |
| Attorney Docket No. | 3239p063 |

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakey, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayment of fee(s)☒ Credit any overpayments

under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION**1. EXTRA CLAIM FEES**

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 18 | 20* | 0 | \$0.00 |
| Independent Claims | 4 | 0 | \$0.00 |
| Multiple Dependent | | | |

| Large Entity | Small Entity | Fee Description |
|--------------|--------------|---|
| Fee Code | Fee Code | |
| 1202 50 | 2202 25 | Claims in excess of 20 |
| 1201 200 | 2201 100 | Independent claims in excess of 3 |
| 1203 380 | 2203 100 | Multiple Dependent claim, if not paid |
| 1204 790 | 2204 395 | **Release independent claims over original patent |
| 1205 300 | 2205 150 | **Release claims in excess of 20 and over original patent |

| | | |
|--------------|------|------|
| SUBTOTAL (1) | (\$) | 0.00 |
|--------------|------|------|

*or number previously paid, if greater. For Retissues, see below

2. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Description |
|--------------|--------------|--|
| Fee Code | Fee Code | |
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet |
| 2053 130 | 2053 130 | Non-English specification |
| 1251 120 | 2251 60 | Extension for reply within first month |
| 1252 450 | 2252 225 | Extension for reply within second month |
| 1253 1,020 | 2253 510 | Extension for reply within third month |
| 1254 1,590 | 2254 705 | Extension for reply within fourth month |
| 1255 2,160 | 2255 1,080 | Extension for reply within fifth month |
| 1401 500 | 2401 250 | Notice of Appeal |
| 1402 500 | 2402 250 | Filing a brief in support of an appeal |
| 1403 1,000 | 2403 500 | Request for oral hearing |
| 1451 1,510 | 2451 1,510 | Petition to institute a public use proceeding |
| 1400 130 | 2480 130 | Petitions to the Commissioner |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(g) |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt |
| 1800 790 | 1809 395 | Filing a submission after final rejection (37 CFR § 1.129(a)) |
| 1810 790 | 2810 395 | For each additional invention to be examined (37 CFR § 1.129(b)) |

Other fee (specify)

SUBTOTAL (2)

(\$)

Fee Paid

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

William W. Schaal

Registration No.
(Attorney/Agent)

39,018

Telephone

(714) 557-3800

Signature

Date

02/05/07

Based on PTO/SR-17 (12-04) as modified by Blakey, Sokoloff, Taylor & Zafman (MR) 12/15/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Appl. No. 09/753,228
Amdt. Dated 02/05/2007
Reply to Office Action of November 3, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|------------------|---|---|-----------------------|
| Application. No. | : | 09/753,228 | Confirmation No. 9333 |
| Applicant | : | Jonathan M. Zweig | |
| Filed | : | 12/28/2000 | |
| TC/A.U. | : | 2684 | |
| Examiner | : | Tu X. Nguyen | |
| Title | : | Dynamic Power Level Control on Transmitted Messages in a Wireless LAN | |
| Docket No. | : | 003239.P063 | |
| Customer No. | : | 8791 | |

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action of November 3, 2006, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.